



MONTGOMERY COUNTY ETHICS COMMISSION

Rahul K. Goel
Chair

Susan Beard
Vice Chair

May 29, 2020

Waiver 20-05-008

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Dawn Bellinger is a Nurse Manager with the Medication Assisted Treatment – Clinical and Vocational Services Agency in the Behavioral Health and Crisis Services (BHCS) Division at the Montgomery County Department of Health and Human Services (DHHS). She would like to engage in outside employment as a registered nurse with Adventist Healthcare (Adventist). Adventist is an entity which has contracts with DHHS.

As a nurse manager with DHHS-BHCS, Ms. Bellinger supervises community health nurses in the treatment of opioid use disorders. She reports statistics, facilitates weekly treatment team meetings, and coordinates urinalysis collection and testing. She supervises frontline nurses in their capacities as community health nurses for the County government. However, she occasionally provides direct care to patients such as administering medications and collecting urine samples. She primarily is called upon to consult on complex patient care issues and help with coordination of care. She provides other support services for nursing activities.

As a registered nurse with Adventist, Ms. Bellinger will be a float nurse, working in different units as needed. In that capacity, she will implement provider treatment plans for patients, administer medications, perform venipuncture, conduct EKGs, and coordinate medical tests and other care with ancillary departments.

Adventist has five contracts with divisions at DHHS, but none of those contracts fund her role with Adventist. The DHHS contracts fund prenatal care to disadvantaged pregnant women in the County, cancer screening and treatment to County residents, and assisted living services to mentally ill residents in the County.

In her role at DHHS, Ms. Bellinger holds no contract monitoring or procurement responsibilities and is not involved in matters affecting Adventist. While at Adventist, she will not work on matters related to DHHS contracts with Adventist. DHHS patients utilize the services of Adventist for urgent and emergent care, so crossover clients are conceivable. In the event Ms.

MONTGOMERY COUNTY ETHICS COMMISSION

100 MARYLAND AVENUE, ROOM 204, ROCKVILLE, MARYLAND 20850
OFFICE: 240.777.6670 FAX: 240.777.6672

Bellinger is asked to serve a client that she has previously served, she will refuse the assignment and request that the patient be assigned to another nurse.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b). The Commission notes that while 19A-12(b)'s prohibition is waived, the other provisions of the ethics law are not, including those prohibiting an employee from working on official matters relating to the outside employer. The approval of this waiver is conditioned on the facts on which the waiver is based remaining unchanged. It is also conditioned on Ms. Bellinger not making referrals as a County employee to Adventist or soliciting other County employees to make such referrals.

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Bellinger.

For the Commission:

A handwritten signature in blue ink, appearing to read 'Rahul Goel', with a stylized flourish at the end.

Rahul Goel, Chair